

### **AMENDMENT TO THE DRAWINGS**

Please replace Figures 1 and 3 of the present application with the following Replacement Sheets attached to the end of this Amendment and Response.

Attachment: Two (2) replacement sheets corresponding to Figures 1 and 3.

### **STATUS OF CLAIMS**

Claims 1-16 are pending.

Claims 1-16 stand rejected by the Examiner.

Claims 1 and 14 have been amended, without prejudice, herein.

### **REMARKS**

Reconsideration of the present Application is respectfully requested.

### **Objections To The Specification**

The disclosure has been objected to because of informalities. Applicant respectfully submits that all the corrections required by the present Office Action have been made.

### **Objections To The Drawings**

The drawings have been objected to for including reference characters not mentioned in the description, and for using multiple reference characters for a single item. Applicant has amended Figure 1 to remove reference characters 115 and 125, and amended Figure 3 to give "steel" a single reference number.

### **Information Disclosure Statement**

Applicant notes the decision in the present Office Action to not consider the information disclosure statement filed May 10, 2002, and will address and correct any such errors at a later time.

### **Objections To The Claims**

Claim 1 has been objected to because of informalities. Applicant has amended Claim 1 as suggested by the Examiner.

### **35 U.S.C. § 103 Rejections**

Claims 1-10, 13-14 and 16 stand rejected as being unpatentable over Promoting active-student learning using the World Wide Web in economics courses” by S.P Simkins et al. (“Simkins”), in view of “How Networks Work” by F.J. Derfler, Jr. and L. Freed, 2000 (“Derfler”). Claims 11-12 and 15 stand rejected as being unpatentable over Simkins and Derfler as applied to claims 1 and 14 above, and in further view of Eng et al, U.S. Patent No. 6,188,993 (“Eng”). Applicant respectfully traverses these rejections for at least the following reasons.

35 U.S.C. § 103(a) recites:

[a] patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains.

Hence, to establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the references or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of

success must both be found in the prior art and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 U.S.P.Q.2d 1438 (Fed. Cir. 1991). M.P.E.P. 706.02(j).

Applicant respectfully submits that none of the cited references teach or suggest a system or method having at least two linearly communicatively connected virtual organizations each having an account and a set of defined attributes representative of virtual items and activities wherein each of the sets is correspondent to one of the accounts, as recited in independent Claims 1 and 14. Further, none of the references include a disinterested third-party connection that provides for the creation of each of the accounts as recited in Claim 1, and the creation of a temporary virtual organization if the system is without at least one of the at least two virtual organizations necessary for a linear communication, also recited in Claims 1 and 14.

Simkins does nothing more than discuss the value of the Internet. In fact, in a section entitled *Current Uses of The Internet in Economics Education*, Simkins states:

Despite recent advances in technology, current pedagogical use of the Internet and the Web for teaching economics is limited. Based on a survey of 325 faculty members, Sosin (1997) finds that while most faculty members and students have access to the Internet, "less than on-quarter of faculty members use Web assignments or other Internet features in teaching." (p.5) Nonetheless, educational consensus suggests that the Internet will be an important teaching tool in the future.

*Simkins at page 8, section 3.2.*

Simkins further discusses the use of the Web to promote communication, via email, discussion boards, and chat groups (Simkins at page 10). Lastly, Simkins mentions the existence of "microcomputer tutorials and simulations" to reinforce economic concepts and principles. However, Applicant notes with earnest that there is nothing described in Simkins teaching any specific or particular aspect of a system for virtual organizations to conduct virtual economic transactions and decision-making. No less a system having at least two linearly communicatively

connected virtual organizations each having an account and a set of defined attributes representative of virtual items and activities wherein each of the sets is correspondent to one of the accounts, and further including a disinterested third-party connection that provides for the creation of each of the accounts, and that serves as a temporary virtual organization if the system is without at least one of the at least two virtual organizations necessary for a linear communication, as recited in Claim 1.

Similarly, both Derfler and Eng lack any teaching pertaining to a system having at least two linearly communicatively connected virtual organizations each having an account and a set of defined attributes representative of virtual items and activities wherein each of the sets is correspondent to one of the accounts, and further including a disinterested third-party connection that provides for the creation of each of the accounts, and that serves as a temporary virtual organization if the system is without at least one of the at least two virtual organizations necessary for a linear communication.

On a different matter, Applicant notes that the portions of the references to which the present Office Action cites to as evidence of any such teaching of the claim elements, are very far from that described in the Office Action. Further to this, the present Office Action does not relay the date of disclosure of Simkins, leaving Applicant with no choice but to discuss Simkins on the merits, without knowing if Simkins even qualifies as art disclosed prior to the filing date of Applicant's invention or if the located Simkins reference is the reference cited in the present action. Applicant therefore respectfully requests a copy of the references cited by the present Office Action to confirm that the Examiner and Applicant are referring to the same documents.

That aside, without conceding to the arguments set forth in the present Office Action, and to assist in an effort to move the present case to allowance, Applicant has amended independent Claims 1 and 14 to more clearly describe the claimed invention as a computer simulation system, where virtual organizations interact via virtual activities using virtual items in their transactions.

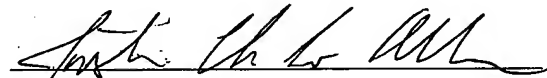
Accordingly, Applicant submits that at least Claims 1 and 14 are patently distinguishable over the prior art of record. Applicant further submits that each of dependent Claims 2-13 and 15-16 are similarly distinguishable over the prior art of record, at least by virtue of their ultimate dependency from a patently distinct base Claim 1 or 14.

### **CONCLUSION**

Wherefore, Applicant respectfully believes all outstanding grounds raised by the Examiner have been addressed, and thus respectfully submits the present case is in condition for allowance, early notification of which is earnestly solicited.

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Respectfully submitted,



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